

Message Text

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ORIGIN INT-05

INFO OCT-01 EA-06 ISO-00 OES-03 OFA-01 DLOS-04 OIC-02 IO-10

L-03 CEQ-01 EPA-01 COME-00 SMI-01 CIAE-00 INR-07

NSAE-00 /045 R

DRAFTED BY INT/FWS/TLSTRIEGLER

APPROVED BY OES/ENP/EN: LINDSEY GRANT

INT:FWS: C.R. OAVIN

EA/TB: JAMES A. KLEMSTINE

OES/ENP/EN: J. GRANT BURKE

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P 222145Z JUL 75

FM SECSTATE WASHDC

TO AMEMBASSY BANGKOK PRIORITY

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E.O. 11652: N/A

TAGS: SENV, TBIO, TH, US

SUBJECT: ENFORCEMENT OF U. S. WILDLIFE LAWS (INV 4-0)

REFERENCE: (A) BANGKOK 17734 (08 NOV. 74) (B) BANGKOK
17800 (1) NOV. 74) (C) BANGKOK 03486
(03 MAR. 75)

1. REFTELS (A), (B) AND (C) RELATE TO INVESTIGATIONS BY
U. S. FISH AND WILDLIFE SERVICE INTO ALLEGATIONS THAT
GIBBONS WHICH WERE IMPORTED INTO U. S. HAD BEEN ILLEGALLY
EXPORTED FROM THAILAND. THIS INVESTIGATION WAS CLOSED
WITHOUT PROSECUTION PRIMARILY BECAUSE USFWS UNABLE TO
PROVE ILLEGAL EXPORT FROM THAILAND. THE PROBLEMS SEEMS
TO BE THAT WILDLIFE EXPORT PERMITS ARE ACTUALLY ISSUED BY
RTG FOREIGN TRADE DEPARTMENT, BUT MUST BE APPROVED BY
MR. PONG LENG EE, CHIEF, NATIONAL WILDLIFE MANAGEMENT
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DIVISION, ROYAL FORESTRY DEPARTMENT. APPARENTLY SUCH
APPROVAL IS NOT ALWAYS OBTAINED.

2. USFWS IS CONTINUING TO RECEIVE COMPLAINTS FROM

DR. SHIRLEY MC GREAL AND OTHERS THAT PRIMATES ARE BEING ILLEGALLY EXPORTED FROM THAILAND AND IMPORTED INTO U. S. IF THESE REPORT ARE TRUE USFWS IS MOST ANXIOUS TO ASSIST RTG IN ENFORCEMENT OF THEIR LAWS AND TO PROSECUTE RESPONSIBLE PARTIES IN U. S. WHO VIOLATE U. S. LAW. THIS CANNOT BE DONE UNLESS PROOF OF VIOLATION OF THAT LAW IS OBTAINED. SUCH PROOF IS IMPOSSIBLE TO OBTAIN WHEN ONE AGENCY OF RTG STATES THAT PERMITS HAVE BEEN ISSUED WHILE ANOTHER AGENCY STATES THEY HAVE NOT.

3. USFWS THEREFORE REQUESTS THAT AMEMBASSY DETERMINE WHAT AGENCY WITHIN RTG IS RESPONSIBLE FOR THE ACTUAL ISSUANCE OF WILDLIFE EXPORT PERMITS. AMEMBASSY IS THEN REQUESTED TO CONTACT THE OFFICIAL WITHIN THAT AGENCY AND ESTABLISH A PROCEDURE FOR OBTAINING CERTIFIED STATEMENTS FROM RESPONSIBLE OFFICIAL STATING WHETHER OR NOT AN EXPORT PERMIT HAS BEEN ISSUED FOR A PARTICULAR SHIPMENT. WITHOUT SUCH CERTIFICATION BY THE APPROPRIATE OFFICIAL OF RTG AND SUBSEQUENT EXEMPLIFICATION BY AMEMBASSY USING PROCEDURES OUTLINED IN 7 FAM 834, SUCH INFORMATION IS NOT LEGALLY ADMISSABLE AS EVIDENCE IN U. S. COURTS.

4. USFWS EXPRESSES DEEPEST APPRECIATION FOR AMEMBASSY'S ASSISTANCE IN PREVIOUS INVESTIGATIONS AND IS UNDERSTANDING OF PROBLEMS INVOLVED.

5. IN REPLY PLEASE PASS TO T. L. STRIEGLER, DIVISION OF LAW ENFORCEMENT, U. S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR, WASHINGTON, D. C. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 26 AUG 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SPECIES PROTECTION, EXPORT LICENSES
Control Number: n/a
Copy: SINGLE
Draft Date: 22 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: johnsorg
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE172616
Document Source: ADS
Document Unique ID: 00
Drafter: INT/FWS/TLSTRIEGLER
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: D750253-0513
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t197507106/baaaapyr.tel
Line Count: 88
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN INT
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: johnsorg
Review Comment: n/a
Review Content Flags:
Review Date: 23 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 JUL 2003 by BoyleJA>; APPROVED <20 NOV 2003 by johnsorg>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: SENV, ETRD, TH, US
To: BANGKOK
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006